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1734

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **10**

Application Number	09/974,700
Filing Date	10/10/2001
First Named Inventor	Keith J. Allison and Richard J. Kaiser
Art Unit	1734
Examiner Name	Callie E. Shosho
Attorney Docket No.	BIN-105US

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TC 1700**ENCLOSURES (Check all that apply)**

Fee Transmittal Form
 Fee Attached

Amendment/Reply
 After Final
 Affidavits/Declaration(s)

Extension of Time Request

Express Abandonment Request

Information Disclosure Statement

Certified Copy of Priority Document(s)

Response to Missing Parts/
Incomplete Application

Response to Missing Parts under
37 CFR 1.52 or 1.53

Drawing(s)
 Licensing-related Papers
 Petition
 Petition to Convert to a
Provisional Application
 Power of Attorney, Revocation,
Change of Correspondence
Address
 Terminal Disclaimer
 Request for Refund
 CD, Number of CD(s) _____

After Allowance Communication
to Group
 Appeal Communication to Board
of Appeals and Interferences
 Appeal Communication to Group
(Appeal Notice, Brief, Reply
Brief)
 Proprietary Information
 Status Letter
 Other Enclosure(s) (please
identify below):

Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Firm or Individual	Jonathan H. Spadt	Registration No. (Attorney/Agent)	45,122
Signature			
Date	7/30/03		

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:

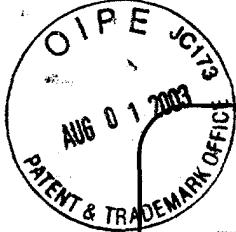
7/30/03

Name (Print/Type)	Denise Morgan		
Signature			
	Date	7/30/03	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: COMMISSIONER FOR PATENTS, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110)

Complete if Known

Application Number	09/974,700
Filing Date	10/10/2001
First Named Inventor	Keith J. Allison
Examiner Name	Callie E. Shosho
Art Unit	1734
Attorney Docket No.	BIN-105US

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METHOD OF PAYMENT (check all that apply)

 Check Credit Card Money Other None Order
 Deposit Account:

Deposit Account Number

18-0350

Deposit Account Name

RatnerPrestia

The Commissioner is authorized to: (check all that apply)

 Charge fee(s) indicated below
 Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive – unavoidable	
1453	1,300	2453	650	Petition to revive – unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) Terminal Disclaimer

110.00

** or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110)

SUBMITTED BY

Complete if applicable

Name (Print/Type)	Jonathan H. Spadt	Registration No. Attorney/Agent)	45,122	Telephone	610-407-0700
Signature				Date	7/30/03

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Appln. No.: 09/974,700
Response Dated July 30, 2003
Reply to Office Action of July 2, 2003

BIN-105US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No: 09/974,700
Applicant: Keith J. Allison and Richard J. Kaiser
Filed: October 10, 2001
Title: Erasable Marking Composition
TC/A.U.: 1734
Examiner: Callie E. Shosho
Confirmation No.: 9323
Docket No.: BIN-105US

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TC 1700

RESPONSE

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action dated July 2, 2003.

Remarks/Arguments begin on page 2 of this paper.